



**Federal Communications Commission  
Washington, DC 20554**

**November 25, 2025**

**DA 25-984**

**SMALL ENTITY COMPLIANCE GUIDE**

**Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data  
Program**

**FCC 25-34**

**WC Docket No. 19-195 and 11-10**

**Released June 26, 2025**

In accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996, this Small Entity Compliance Guide (Guide) is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the rules adopted in the above-referenced Federal Communications Commission (FCC or Commission) rulemaking dockets. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply. Furthermore, the Commission retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decision regarding a particular small entity will be based on the statute and any relevant rules.

In any civil or administrative action against a small entity for a violation of rules, the content of the Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties, or damages. Interested parties are free to file comments regarding this Guide in the above referenced docket and the appropriateness of its application to a particular situation. The Commission will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The Commission may decide to revise this Guide without public notice to reflect changes in its approach to implementing a rule, or it may clarify or update the text of the Guide. Please direct comments and recommendations, or requests for further assistance, to the FCC's Consumer Center:

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## I. OBJECTIVES OF THE PROCEEDING

In the *Fifth Report and Order*<sup>1</sup>, the Commission took another important step towards furthering the *Delete, Delete, Delete* proceeding's objectives of alleviating unnecessary regulatory burdens on broadband internet access service providers while ensuring the Commission continues to receive accurate data on broadband internet access service availability.<sup>2</sup>

The Broadband Deployment Accuracy and Technological Availability Act (Broadband DATA Act)<sup>3</sup> requires providers of fixed broadband service to report broadband availability on a location-by-location basis and providers of mobile wireless broadband service to report their coverage areas using standardized propagation modeling parameters as part of the biannual Broadband Data Collection (BDC).<sup>4</sup> Consistent with the Broadband DATA Act's requirements, our rules require such filings to include a certification of true and correct data signed by a corporate officer.<sup>5</sup> In addition, the Commission requires a certification signed by either a corporate engineering officer or certified professional engineer.<sup>6</sup>

The *Fifth Report and Order* eliminated the professional engineer certification requirement for filers of biannual data in the BDC and instead permits filings to be certified by a qualified engineer, as defined in the *Fifth Report and Order* and in the amended rule adopted therein. In addition, the *Fifth Report and Order* also modified the engineering certification requirement to clarify that a certifying engineer does not necessarily need to be a full-time employee of the broadband service provider but instead could be an independent contractor or third-party consultant. Replacing the professional engineer certification requirement with a requirement that biannual BDC filings must be certified by a qualified engineer addresses concerns about the unavailability of professional engineers. Further, the adopted rules address the unnecessary costs and other burdens the requirement places on filers and eases the regulatory burden imposed by the professional engineer certification requirement.

## II. COMPLIANCE REQUIREMENTS

### Scope, Content, and Frequency of Broadband Data Collection Filings (47 CFR § 1.7004(d))

Under the rules adopted in the *Fifth Report and Order*, broadband internet access service providers shall include in each BDC filing: (1) a certification signed by a corporate officer of the provider that the officer has examined the information contained in the submission and that, to the best of the officer's actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct, and (2) a certification to the accuracy of the provider's submissions by a qualified engineer. If a corporate officer is also an engineer and has the knowledge required under the Broadband DATA Act, a provider may submit a single certification that fulfills both requirements.

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<sup>1</sup> See *Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program*, WC Docket Nos. 19-195, 11-10, Fifth Report and Order, FCC 25-34, 2025 WL 1795506 (Jun. 26, 2025) (*Fifth Report and Order*).

<sup>2</sup> See *In Re: Delete, Delete, Delete*, GN Docket No. 25-133, Public Notice, DA 25-219 (Mar. 12, 2025) (*Delete, Delete, Delete*).

<sup>3</sup> Broadband Deployment Accuracy and Technology Availability Act, Pub. L. No. 116-130, 134 Stat. 228 (2020) (codified at 47 U.S.C. §§ 641-646) (Broadband DATA Act).

<sup>4</sup> 47 U.S.C. § 642(b)(2)(A)-(B).

<sup>5</sup> *Id.* § 642(b)(4)(A).

<sup>6</sup> *Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program*, WC Docket Nos. 19-195, 11-10, Third Report and Order, 36 FCC Rcd 1126, 1144-45, para. 43 (2021) (*Third Report and Order*) (codified at 47 CFR § 1.7004(d)).

The engineering certification shall state that the qualified engineer has direct knowledge of, or responsibility for, the generation of the provider's BDC filing. The qualified engineer shall also certify that he or she has examined the information contained in the submission and that, to the best of the engineer's actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct, and in accordance with the service provider's ordinary course of network design and engineering.

A qualified engineer is defined as an engineer who is:

- (i) A corporate officer possessing a Bachelor of Science (B.S.) degree in engineering and who has direct knowledge of, and responsibility for, the carrier's network design and construction;
- (ii) An engineer possessing a bachelor's or post-graduate degree in electrical engineering, electronic engineering, or another similar technical discipline, and who has at least seven years of relevant experience in broadband network design and/or performance; or
- (iii) An employee or agent with specialized training relevant to broadband network engineering and design, deployment, and/or performance, and who has at least 10 years of relevant experience in broadband network engineering, design, and/or performance.

### **III. RECORDKEEPING AND REPORTING REQUIREMENTS**

The Commission's actions in the *Fifth Report and Order* did not create any new recordkeeping or reporting requirements. Instead, the *Fifth Report and Order* eliminated the professional engineer certification requirement for the biannual Broadband Data Collection, instead allowing providers to submit a certification by a "qualified engineer."

### **IV. IMPLEMENTATION DATE**

The rules in the *Report and Order* became effective upon publication of the summary thereof in the Federal Register on July 1, 2025.

### **V. INTERNET LINKS**

A copy of the *Establishing the Digital Opportunity Data Collection Fifth Report and Order* is available at <https://docs.fcc.gov/public/attachments/FCC-25-34A1.pdf>.

A copy of the Federal Register Summary of the *Establishing the Digital Opportunity Data Collection Fifth Report and Order* is available at <https://www.federalregister.gov/documents/2025/07/01/2025-12240/establishing-the-digital-opportunity-data-collection-modernizing-the-fcc-form-477-data-program>.

The Broadband Data Collection System may be accessed at <https://bdc.fcc.gov/login>. Resources to assist filers are available at <https://www.fcc.gov/BroadbandData/filers> and <https://help.bdc.fcc.gov/hc/en-us>.